

FILED
DISTRICT COURT OF GUAM
APR 15 2004
MARY L. M. MORAN
CLERK OF COURT

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(37)

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF GUAM

12 SHELL GUAM, INC.,) CIVIL CASE NO. CIV03-000029
13 a Guam corporation,)
14 Plaintiff,)
15 vs.)
16 F/V PALAU MARU NO. 1,)
17 Defendant,)
18 and)
19 RRG INTERNATIONAL, INC.,)
20 Plaintiff-in-Intervention.)
21 _____)

PROPOSED *QWY*
ORDER OF SALE OF DEFENDANT
VESSEL F/V PALAU MARU NO. 1
BY PLAINTIFF SHELL GUAM, INC.

23 This matter having come before this Court without hearing upon the Application for Order
24 of Sale by Plaintiff Shell Guam, Inc. with respect to Defendant Vessel F/V Palau Maru No. 1, and
25 the Default against Defendant Vessel F/V Palau Maru No. 1 having been entered on March 23,
26 2004, Final Judgment by Default having been entered in this action against Defendant Vessel F/V
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Palau Maru No. 1, now, upon application by Plaintiff Shell Guam, Inc. and agreed to by Plaintiff-
in-Intervention RRG International, Inc., and upon review of the pleadings and papers on filed
herein it is hereupon

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ORDERED that:

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That Defendant Vessel F/V Palau Maru No. 1 is hereby ORDERED TO BE SOLD.
2. That the United States Marshal Service is hereby ORDERED AND DIRECTED to
sell Defendant Vessel F/V Palau Maru No. 1 upon the following terms and conditions:

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a. That said Marshal shall sell Defendant Vessel F/V Palau Maru No. 1 at the
steps of the District Courthouse at the hour of 2:00 o'clock p.m. on the ~~21st~~  day of April 2004,
after publication of the Notice of United States Marshal's Sale as required by the rules of this
Court. Notice shall be published in the Pacific Daily News, a newspaper of general circulation in
Guam USA, for six (6) consecutive days before the date of sale.

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b. That said Marshal, at the request of any interested person, grant permission
to said person or his representative to visit, board, inspect, examine and survey the Defendant
Vessel F/V Palau Maru No. 1 during the daylight hours of 9:00 a.m. and 4:00 p.m., provided that
the same shall be done at the sole expense and risk of any said person or his representative. Any
such inspection to be arranged through Oceaneer Enterprises, Inc..

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c. That the Marshal is hereby authorized to accept a deposit of ten percent (10%) of the amount of the bid for Defendant Vessel F/V Palau Maru No. 1, upon the condition that the balance of the bid is paid as provided in Local Admiralty Rule 14(b) and upon condition that the deposit shall be forfeited by the bidder and applied to the costs of this action, if the balance of the bid is not paid when due. The amounts shall be held by the Marshal pending further order of this Court.

d. That Plaintiff Shell Guam, Inc. is hereby authorized to bid up to the amount of its Judgment, as well as their costs including custodial expenses incurred or to be incurred and attorneys fees and costs, and Plaintiff Shell Guam, Inc. shall not be required to make any deposit to secure its bid, pending confirmation of sale.

e. Plaintiff Shell Guam, Inc. shall file an Affidavit of its costs with the Court as provided by Local Admiralty Rule 14(b) and may file a Supplemental Affidavit on the day of the sale and present a copy of the same to the Marshal prior to the sale and the amount thereof shall be announced by him previous to the sale.

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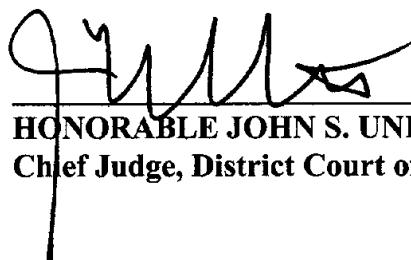
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1 Page 4
2 Order of Sale of Defendant Vessel F/V Palau Maru No. 1 by Plaintiff Shell Guam, Inc.
3 Shell Guam, Inc. v. F/V Palau Maru No. 1 and RRG International, Inc.
4 District Court of Guam Civil Case No. CIV03-00029

5 f. The sale of Defendant Vessel F/V Palau Maru No. 1 shall be subject to all
6 liens and the United States Marshal shall so state in the Notice of United States Marshal's Sale and
7 at the time of sale.

8 SO ORDERED IN CHAMBERS at Hagåtña, Guam USA this 15th day of ~~MARCH~~ ^{April} 2004.

9 
10 HONORABLE JOHN S. UNPINGCO
11 Chief Judge, District Court of Guam

12 APPROVED AS TO FORM:

13 CARLSMITH BALL LLP
14 Attorneys for Plaintiff-in-Intervention
15 RRG International, Inc.

16 By: 
17 DAVID LEDGER

18 Dated: March 16, 2004

27 Z8(004.695)\PLD\P#2143

